UNITED
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Security Council

Distr.
GENERAL

S/1994/779
30 June 1994

ORIGINAL: ENGLISH

LETTER DATED 30 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose herewith a statement by the Spokesman of the Government of the Republic of Yemen on resolution 931 (1994) adopted by the Security Council on 29 June 1994.

I would appreciate it if you would have the enclosed statement circulated as a document of the Security Council.

(Signed) Abdalla S. AL-ASHTAL
Ambassador
Permanent Representative

Annex

Statement by the Spokesman of the Government of the Republic of Yemen on resolution 931 (1994) adopted by the Security Council on 29 June 1994

The Government of the Republic of Yemen notes, with satisfaction, that resolution 931 (1994), adopted by the Security Council on 29 June 1994, deals with the internal conflict in Yemen in the context of Yemeni unity. Furthermore, it aims at facilitating a peaceful solution to the conflict through national dialogue. Consequently, the Government of Yemen declares its acceptance of that resolution and its readiness to cooperate with the Special Envoy of the Secretary-General, Mr. Lakhdar Brahimi, in order to implement it through the establishment of a Yemeni regional machinery to monitor a cease-fire and to begin serious political dialogue aimed at the consolidation of unity and democracy in Yemen.

However, it is obvious that resolution 931 (1994) cannot be implemented without a cease-fire and its stabilization. The Government of Yemen has already called for a cease-fire six times. But, unfortunately, the secessionists intentionally violated the cease-fire for purely political reasons. They have proved that they are interested, not in a cease-fire, but in using the call for a cease-fire in order to internationalize an internal conflict. We are deeply alarmed by the suffering of our brothers and sisters in Aden. We, therefore, reiterate our commitment to a permanent cease-fire.

The Government of the Republic of Yemen will spare no effort in order to implement resolutions 924 (1994) of 1 June 1994 and 931 (1994). It has, therefore, instructed and authorized Dr. Abdulkarim Al-Eryani, the Minister of Planning, who is currently in New York, to continue the dialogue under the auspices of the Special Envoy of the Secretary-General with a view to establishing a machinery to monitor the cease-fire as a prelude to engaging in a political dialogue as soon as possible.

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Security Council

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GENERAL

S/1994/780
30 June 1994
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 28 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF SENEGAL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the official communiqué issued by the Government of Senegal concerning its participation in the peace process in Rwanda and in the multinational operation authorized by Security Council resolution 929 (1994) of 22 June 1994.

I should be grateful if you would arrange to have the text of this communiqué circulated as a document of the Security Council.

(Signed) Kéba Birane CISSE

Annex

Official communiqué from the Government of the Republic of Senegal dated 25 June 1994

True to its commitment to continue striving, within the bounds of international law, to promote peace and security in the world in general, and in Africa in particular, Senegal has been actively involved for two years in seeking a solution to the Rwandese conflict. Accordingly, only a few days after his election at the Dakar summit meeting, to the chairmanship of the Organization of African Unity (OAU), President Abdou Diouf sent a special representative to Arusha to assist the parties to the conflict in finding a negotiated political solution. This meeting ended with the signing, on 12 July 1992, of a cease-fire agreement between the Rwandese Patriotic Front and the Rwandese Government. Senegalese officers were part of the neutral OAU military observer group set up to supervise this cease-fire. Following the signing a year later, on 4 August 1993, of the Arusha Peace Agreement and the replacement of the military observer group by the United Nations Assistance Mission for Rwanda (UNAMIR), Senegal was planning to participate in this new United Nations peace-keeping operation, which is still in place in Rwanda.

Subsequently, when consulted by the Secretary-General of OAU, on 11 May 1994 at Pretoria, about Senegal's willingness to participate in a possible expansion of UNAMIR, whose troops had meanwhile been considerably reduced by the United Nations, President Abdou Diouf reacted positively. Thus, when the Security Council took the decision on 17 May 1994 to expand the UNAMIR force level up to 5,500 troops, our country informed the Secretary-General of the United Nations that it was prepared to make available to the United Nations a contingent of 860 troops.

In view of the delay in putting into place this expanded force, and the continuation of intolerable massacres of civilian populations, Senegal was consulted by France about the temporary deployment, as in the case of Somalia, of a multinational humanitarian mission. Our country agreed in principle at that time, it being understood that the Security Council would adopt a resolution on the question defining a clear mandate for fulfilling a precise objective.

This was accomplished on 22 June with the adoption of Security Council resolution 929 (1994), which "agrees that a multinational operation may be set up for humanitarian purposes in Rwanda until UNAMIR is brought up to the necessary strength", this mission being "limited to a period of two months ... unless the Secretary-General determines at an earlier date that the expanded UNAMIR is able to carry out its mandate".

Two facts should be noted with regard to the foregoing:

(1) Senegal's presence in Rwanda falls within a framework of humanitarian principles and a concern for promoting peace. Its intention is to contribute, in an impartial manner, to the security and protection of displaced persons, refugees and civilians at risk in Rwanda.

If a country other than France had taken the initiative to propose the establishment of a multinational operation, our attitude would have been the same.

(2) Senegal pursues no other objective in Rwanda than that of helping to save human lives, put an end to the massacres and hostilities and bring about the resumption of the process of implementing the Arusha Peace Agreement, pursuant to the relevant OAU resolutions.

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Security Council

Distr.
GENERAL

S/1994/781
30 June 1994
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Draft resolution

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994, 901 (1994) of 4 March 1994 and 906 (1994) of 25 March 1994,

Having considered the Secretary-General's report of 16 June 1994 (S/1994/725),

Recalling the letter of 16 June 1994 from the President of the Security Council to the Secretary-General (S/1994/714),

Noting the letter of 21 June 1994 from the Foreign Minister of the Russian Federation to the Secretary-General (S/1994/732),

Noting that talks between the parties on a comprehensive political settlement will resume shortly and urging the parties to achieve substantive progress towards a political settlement consistent with the principles set out in its previous resolutions,

1. Welcomes the Secretary-General's report of 16 June 1994;

2. Notes with satisfaction the beginning of Commonwealth of Independent States (CIS) assistance in the zone of conflict, in response to the request of the parties, on the basis of the 14 May 1994 Agreement on a Cease-fire and Separation of Forces (S/1994/583, annex I), in continued coordination with the United Nations Observer Mission in Georgia (UNOMIG), and on the basis of further coordinating arrangements with UNOMIG to be agreed by the time of the Council's consideration of the Secretary-General's recommendations on the expansion of UNOMIG;

3. Decides to extend until 21 July 1994 the existing mandate of the United Nations Observer Mission in Georgia (UNOMIG) at its current authorized

strength, within which period the further expansion of UNOMIG as recommended in the Secretary-General's report of 6 June 1994 (S/1994/529/Add.1) will be addressed;

4. Requests the Secretary-General, in the light of the letter of 16 June 1994 from the President of the Security Council (S/1994/714), to report to the Council on the outcome of discussions between UNOMIG, the parties and the CIS peace-keeping force designed to reach an agreement on the arrangements which would exist on the ground for coordination between an expanded UNOMIG and the CIS peace-keeping force;

5. Reaffirms its readiness to consider detailed recommendations on the expansion of UNOMIG along the lines of the ideas set out in paragraph 7 of the Secretary-General's report of 6 June 1994;

6. Decides to remain actively seized of the matter.

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Security Council

Distr.
GENERAL

S/1994/782
29 June 1994

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF NEW ZEALAND ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter, dated 29 June 1994, from the Chargé d'affaires a.i. of the Permanent Mission of New Zealand to the United Nations, stating that Miss Caroline Peta Bilkey has been appointed alternate representative of New Zealand on the Security Council from 29 June 1994 until 31 August 1994.

In the opinion of the Secretary-General, the above letter constitutes adequate provisional credentials.

94-27381 (E) 010794 05/07/94

UNITED
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Security Council

Distr.
GENERAL

S/1994/783
4 July 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 JUNE 1994 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 11 to 16 June 1994.

11 June 1994

Southern region: 43 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qal'at Salih, the area to the south of Diwaniyah, Artawi, Qurnah, Jalibah and Busayyah.

At 1245 hours on 11 June 1994, a United States TR-1 reconnaissance aircraft flying at 600 kilometres per hour and at an altitude of 20,000 metres violated Iraq's airspace over Basra, Nasiriyah, the area to the south of Diwaniyah and Artawi. It left at 1503 hours in the direction of Kuwait.

12 June 1994

Southern region: 38 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Busayyah, Jalibah, Artawi, Lasaf, Salman, Qurnah, Chabaish and Shatrah.

13 June 1994

Southern region: 32 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qurnah, Jalibah, Busayyah and Artawi.

14 June 1994

(a) Northern region: 9 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho, Dukan and Aqrah.

(b) Southern region: 50 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qurnah, Qal'at Salih, Jalibah, Artawi and Busayyah.

15 June 1994

Southern region: 36 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Salman, Samawah, Qurnah, Shatrah, Qal'at Salih, Jalibah, Busayyah, Nasiriyah and Artawi.

16 June 1994

(a) Northern region: 14 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar, Amadiyah, Aqrah and Shaqlawah.

(b) Southern region: 50 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qal'at Salih, Basra, Qurnah, Busayyah, Jalibah and Artawi.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/784
1 July 1994

ORIGINAL: ENGLISH

LETTER DATED 1 JULY 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Pursuant to my letter dated 29 June 1994 (S/1994/774), the Serbian aggressor continues to routinely and flagrantly violate the 8 June cease-fire agreement, particularly in the Bihac region. In a coordinated attack with the Fikret Abdic forces, Karadzic' forces employed intense small-arms and machine-gun fire, as well as 82 mm mortars, mainly against the town of Buzim. In the attack against Buzim, one child was killed and many more civilians were injured, while the town itself suffered heavy material damage. According to the statement made on 29 June in New York by a spokesman for the Secretary-General, Karadzic' forces in this pocket are being reinforced by heavy artillery provided by Serb occupiers in the United Nations protected areas (UNPAs) in Croatia. These same Serb ultra-nationalists continue to block all humanitarian aid to the region. It is important to emphasize that, according to the spokesman of the Office of the United Nations High Commissioner for Refugees (UNHCR), Kris Janowski, "If Bosnian Serbs do not allow food deliveries in Bihac within two weeks, the situation will become critical". The actions of these Serb ultra-nationalist forces in Bihac serve as an important reminder of the necessity of full implementation of resolutions 770 (1992), 824 (1993), 836 (1993) and 838 (1993).

In Gorazde, Karadzic' forces harassed the civilian population on the left bank of the Drina river with machine-gun and sniper fire. The suffering of the civilian population in Gorazde is compounded by the ongoing blockage of humanitarian aid by Karadzic' forces.

In Sarajevo, several sections of the city, namely Demino Brdo, Hrasno Brdo, Trg Heroja, Mojmilo Brdo, Stit, Pionirska Dolina and Blekin Potok, came under small-arms fire from Karadzic' soldiers and snipers. Most notably in Sarajevo, the Vrbanja bridge came under fire from the Serb-aggressor-held district of Grbavica.

My Mission stands ready to continue to provide the Security Council with information regarding compliance with the 8 June agreement, as we are aware of the difficulties and obstacles in staying fully apprised of the situation.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/785
1 July 1994

ORIGINAL: ENGLISH

LETTER DATED 28 JUNE 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing in connection with my mission of good offices in Cyprus and further to the report dated 30 May 1994 (S/1994/629) which I forwarded to the Security Council on the evening of 31 May. That report took fully into account the positions which were conveyed on 31 May by the Turkish Cypriot leader to my Deputy Special Representative, Mr. Gustave Feissel, and which were subsequently communicated to the Security Council (see S/1994/654). At that meeting, the leader of the Turkish Cypriot community had signalled a modest movement in his position on the modalities for implementing the package of confidence-building measures. However, that movement was not sufficient to reach an agreement and did not seem to me to justify any further delay in submitting my report, which had already been held up for a month to give the Turkish Cypriot side every opportunity to demonstrate the political will to reach an agreement.

The purpose of my present letter is to bring to the attention of the Security Council the developments that have taken place since the submission of my report on 31 May. It will be recalled that discussion of the implementation of the package of confidence-building measures has been based on a paper dated 21 March 1994 and entitled "Draft ideas for implementation of the package of confidence-building measures". As I stated in paragraph 4 of my report dated 30 May, that paper was prepared and revised on the basis of extensive discussions with both leaders (see S/1994/629, part III). Subsequently, some additional adjustments were discussed with the two leaders during the month of April (see S/1994/629, part IV). A copy of that paper is annexed to the present letter for reference.

On 6 June 1994, the Turkish Cypriot leader provided my Deputy Special Representative with further information on his side's position. It was clear that it had evolved further in a positive direction. I accordingly instructed that a number of further clarifications be sought from him so that I could provide precise information to the Security Council. My Deputy Special Representative accordingly had additional meetings with him on 8, 9, 13, 14 and 16 June.

It will be recalled that for some time my representatives had been seeking the Turkish Cypriot side's acceptance of two key elements in the modalities for implementing the package of confidence-building measures. These were the United Nations map of the fenced area of Varosha; and the arrangements for access to and from that area (see S/1994/629, paras. 42 and 43).

The following clarifications of the Turkish Cypriot position emerged from the most recent meetings with the leader of that community:

(a) The Turkish Cypriot positions conveyed on 6 June and clarified in subsequent meetings superseded the positions contained in the talking points dated 31 May (S/1994/654, appendix);

(b) The Turkish Cypriot side accepted the United Nations map of the fenced area of Varosha given to both leaders on 11 March 1994, without the caveats mentioned in the 31 May talking points;

(c) On the issue of access to and from the fenced area of Varosha, the Turkish Cypriot side now accepted that:

(i) The link road between the fenced area of Varosha and the southern part of the island will be the Dherinia Road;

(ii) No military personnel and equipment will be located in the entire area between the link road and the fenced area of Varosha from Ayos Memnon to the southern end of the fence, and all military personnel and equipment will be at least 400 metres from the west side of the link road;

(iii) The crossing of the link road by military personnel and equipment will be governed by a specific regime to be agreed with the United Nations, taking into account that such crossings should be infrequent, at least-traffic periods and monitored by the United Nations;

(iv) The link road will be under the protection of the United Nations, which will (a) man booths at each end of the link road, located just inside the fenced area and the United Nations-controlled buffer zone respectively, and (b) have unlimited access to and freedom of movement on the link road;

(v) Turkish Cypriot police will be able to observe the link road from an observation post at an agreed location some distance off the west side of the link road. They will not have access to the link road for any reason. The Turkish Cypriot police may inform the United Nations of anything untoward they may have observed or may suspect to be happening on the road, in which case the United Nations will take the steps it considers appropriate.

During these discussions, additional clarifications of the implementation of the confidence-building measures were also worked out which do not alter the substance of the modalities proposed in the 21 March paper and take into account the subsequent discussions with the two leaders as described in my report dated

30 May (S/1994/629). These clarifications: (a) confirm that the equitable approach to be adopted by the United Nations administrators of the fenced area of Varosha and Nicosia International Airport on matters of contract and local employment as envisaged in the 21 March paper will provide equal opportunity to both communities, bearing in mind considerations of commercial viability and individual qualifications and experience; (b) specify the benefits provided for in the 21 March paper and their timing, including entry documents, air traffic rights and international financial assistance for the Turkish Cypriot side; (c) define arrangements for making the fenced area of Varosha a special area for bi-communal contact and commerce, notably that all public properties will be administered by the United Nations administrator and that there will be no exclusive agency rights in that area; (d) specify various arrangements related to the traffic rights at Nicosia International Airport foreseen in the 21 March paper, including scheduled flights for a Turkish Cypriot airline registered in Turkey and for Turkish Airlines, and confirm equal treatment of Cyprus Airways and the Turkish Cypriot airline by the Airport Administrator; and (e) confirm that the United Nations will oversee the effective implementation of all components of the package of confidence-building measures.

In all recent discussions with my representatives, the Turkish Cypriot leader insisted that the paper entitled "Draft ideas for implementation of the package of confidence-building measures" dated 21 March should be amended to incorporate the clarifications which had emerged in Vienna on 11 and 12 May 1994 at meetings between representatives of the Republic of Turkey, the United States of America and the Turkish Cypriot community, at which my Deputy Special Representative was also present.

My Deputy Special Representative underlined to the Turkish Cypriot leader that the objective of the United Nations at Vienna had been to seek from the Turkish Cypriot side clear answers on the United Nations map of the fenced area of Varosha and on the United Nations ideas concerning access to and from it, and that on neither matter had a positive reply been forthcoming. No agreements had therefore been reached at Vienna. The discussion there had also explored the various Turkish Cypriot positions which had been put forward earlier. These discussions had revealed points both of convergence and of divergence.

At the meetings in Nicosia from 6 to 16 June, my Deputy Special Representative argued that the clarifications of various points in the 21 March paper which had been discussed at Vienna and subsequently would not require any textual amendment of that paper but would be reflected in a letter which I would write to both leaders when I considered that sufficient progress had been made for implementation to be possible. My letter, together with the 21 March paper, would be before the Security Council when the latter was invited to endorse the modalities for the implementation of the package. The Turkish Cypriot leader maintained the view that all points of clarification should be incorporated in the text of the 21 March paper.

Meanwhile, the leader of the Greek Cypriot community had reiterated his acceptance of the 21 March paper if the Turkish Cypriot leader did likewise. He recalled that he had accepted that paper without raising any of his many objections, but that the Turkish Cypriot side had not accepted that paper. He stated that the National Council had decided unanimously on 8 June 1994 that,

for the reasons stated in my report dated 30 May 1994 (S/1994/629), the Greek Cypriot side could not accept the continuation of negotiations on the confidence-building measures.

On 16 June, I met the Foreign Minister of Cyprus, Mr. Alecos Michaelides, in New York and described to him my plan to address a letter to both leaders which would state my intention to proceed with implementation of the package on the basis of the 21 March paper and clarifications of certain points of it, which would be set out in my letter. At that meeting, Mr. Michaelides stated that for the Greek Cypriot side it was of great importance that the United Nations should exercise the option provided for in paragraphs 16 and 39 of the 21 March paper of collecting customs duties on goods imported through Varosha and Nicosia International Airport, in order to avoid any economic distortions that might otherwise occur. In the light of our discussion I have come to the conclusion that, while it would not be my initial intention to exercise the option of collecting customs duties, I would keep the matter under review and would reconsider my decision if it became clear that there was a risk that economic distortions could result from it.

The discussions with the Turkish Cypriot leader between 6 and 16 June registered considerable progress towards agreement on the modalities for implementing the package of confidence-building measures which the two leaders had already accepted in principle. This progress, together with my meeting with Mr. Michaelides on 16 June, had a bearing on the options set out in paragraphs 56 to 63 of my report dated 30 May 1994. It must be re-emphasized in this context that the purpose of this package has not been to substitute for negotiations on a comprehensive settlement of the Cyprus question, but to build confidence between the parties and thereby help create a climate in which such negotiations can succeed.

I concluded that there had now been sufficient progress for the United Nations to implement the package on the basis of the 21 March paper and subsequent clarifications. My intention was to address to each leader a letter in identical terms expressing my intention to proceed on this basis describing the clarifications concerned and seeking their cooperation in this endeavour. The 21 March paper and my letters to the two leaders would simultaneously have been submitted to the Security Council with the request that the Council endorse this basis for the United Nations implementation of the confidence-building measures.

However, on 21 June, the leader of the Greek Cypriot community informed me that he would have difficulty in accepting this manner of proceeding, reiterating that he was not prepared to contemplate any change in the 21 March paper or any further negotiation on the confidence-building measures. In these circumstances, I decided to send my Special Representative, Mr. Joe Clark, urgently to Cyprus for discussions with the two leaders.

Mr. Clark, after meetings in Cyprus on 22 and 23 June, has reported to me that the Greek Cypriot leader had maintained this position. As noted above, the Turkish Cypriot leader had already declined to accept the procedure I was proposing. Thus, at this point, neither leader is prepared to commit himself to cooperate with me if I proceed as I had intended. On the substance of the

confidence-building measures and the modalities for their implementation, there is now a very substantial measure of agreement. Where agreement is lacking is on how to record the clarifications that have emerged from recent discussions so that the two leaders can confirm their readiness to cooperate with me in implementing the confidence-building measures and the Security Council can be in a position to endorse the modalities proposed.

In the light of these developments, the Security Council may now wish to begin considering the options presented in my last report.

(Signed) Boutros BOUTROS-GHALI

Annex

21 March 1994

Draft ideas for the implementation of the package of confidence-building measures a/

1. The leaders of the Greek Cypriot and Turkish Cypriot communities in Cyprus, on behalf of their respective communities, have agreed to the following arrangements for the fenced area of Varosha and Nicosia International Airport as set out in paragraphs 37, 38, 42 and 43 of and annex I to the Secretary-General's report of 1 July 1993 (S/26026), to be presented to the Security Council of the United Nations for its approval.

2. The Secretary-General of the United Nations will undertake the temporary administration of the fenced area of Varosha and of Nicosia International Airport pending a mutually agreed overall settlement of the Cyprus problem. The actions of the Secretary-General will be based on the present agreement which is signed by the leaders of the two communities in Cyprus in exercise of the mandates conferred on them by their respective communities. The authority to be exercised by the Secretary-General in this regard will derive from a resolution of the United Nations Security Council approving the present agreement.

3. The purpose of the confidence-building measures to be implemented under this agreement is to facilitate early agreement on an overall settlement of the Cyprus problem. The implementation of these measures will help build trust and good will between the two communities and will serve as a catalyst for the ongoing effort to achieve, as an integrated whole, a just, durable and mutually agreed settlement of the Cyprus problem. Even as the confidence-building measures are being implemented, work will proceed expeditiously towards an early overall agreement.

4. The Security Council will keep all aspects of the Secretary-General's mission of good offices on Cyprus, including these arrangements, under close and regular review.

I. THE FENCED AREA OF VAROSHA

Administration of the fenced area of Varosha

5. The fenced area of Varosha, as delineated on the attached United Nations map, will be placed under the temporary administration of the United Nations (United Nations Temporary Administration (UNTA)) pending a mutually agreed solution of the Cyprus problem. The fenced area of Varosha shall be demilitarized; no paramilitary formations, exercises or activities shall be permitted within the area. No person in the fenced area of Varosha, other than authorized United Nations personnel, will be allowed to possess any weapons, firearms or ammunition. In the interest of promoting inter-communal harmony, no national flags or emblems will be displayed publicly in the fenced area of Varosha.

6. The Secretary-General of the United Nations will appoint a UNTA administrator of the fenced area of Varosha acceptable to the leaders of both communities. The UNTA administrator of Varosha will be responsible to the Secretary-General through the senior Representative of the Secretary-General in Cyprus. The administrator will submit six-monthly reports on the implementation of this agreement related to UNTA in the fenced area of Varosha and the Secretary-General will report to the Security Council on a regular basis.

7. The UNTA administrator of Varosha will have full authority, under the direction of the Secretary-General, to provide good and effective administration and security, to maintain law and order through a UNTA police element and to provide local services, in line with the terms of the present agreement which will be approved by the Security Council. In the discharge of his functions, the administrator of Varosha may enlist the advice and assistance of both sides. The administrator of Varosha will be assisted by a small complement of international and local staff as may be required for the efficient administration and security of UNTA in the fenced area of Varosha under such terms and conditions as the Secretary-General may determine. The UNTA administrator of Varosha may arrange for local services to be provided through subcontracting to persons from the two communities. In matters of contract and employment, the administrator of Varosha will adopt an equitable approach between the members of the two communities, bearing in mind considerations of commercial viability and individual qualifications and experience.

8. The UNTA administrator of Varosha will ensure that Greek Cypriots and Turkish Cypriots will be able to enter the fenced area of Varosha freely and without formality and in an unhindered and secure manner, subject only to requirements of normal security. The area between the southern perimeter of the fenced area of Varosha and the United Nations-controlled buffer zone will be included in the unmanning agreement called for by the Security Council in resolution its 889 (1993) of 15 December 1993. Passage between the southern end of the fenced area of Varosha and the United Nations-controlled buffer zone will be under the protection of the United Nations.

9. Foreign visitors who enter Cyprus through Nicosia International Airport may, during their stay on the island, travel unhindered between the two sides, including through the fenced area of Varosha, subject only to the requirements of normal security. As soon as the fenced area of Varosha is placed under United Nations administration, foreign visitors in the southern part of the island will be able to travel unhindered from the southern part to the northern part of the island through the fenced area of Varosha, subject only to the requirements of normal security. In each case, foreign visitors may bring back items purchased for their personal use.

10. All persons in the fenced area of Varosha shall enjoy human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights.

11. To the extent that they are consistent with the letter and spirit of this agreement, laws and regulations in force in Cyprus on 1 December 1963 will be applied in the UNTA. Should the need arise, the administrator of Varosha may modify such laws and regulations, consistent with relevant international

standards and conventions and within the spirit and framework of these arrangements. The leaders of the two communities will be consulted prior to any such modification.

12. The UNTA administrator of Varosha will ensure the fair and efficient administration of justice and, to that end, will appoint a limited and equal number of qualified judges from each community nominated by the leaders of their respective community, as well as, having consulted the leaders of the two communities, a limited number of qualified non-Cypriot judges. Cases involving persons of one community will be heard by a judge of that community. Cases involving persons of both communities or foreign nationals will be heard jointly by a judge from each community and a non-Cypriot judge.

13. The UNTA administrator of Varosha will appoint members of an appellate organ to hear cases on appeal. It will be composed of three qualified judges, one nominated by the leader of the Greek Cypriot community, one nominated by the leader of the Turkish Cypriot community and a non-Cypriot selected by the administrator of Varosha, having consulted the leaders of the two communities.

14. No claims or cases may be heard based upon facts or events which occurred or are alleged to have occurred prior to the date on which the United Nations assumes administration of the fenced area of Varosha.

15. All costs related to the reconstruction, the administration and security of the fenced area of Varosha will be borne by the property owners and inhabitants of the fenced area of Varosha in a manner to be established by the Secretary-General through the administrator of Varosha, having consulted all concerned. International assistance will be sought for the reconstruction of the fenced area of Varosha.

16. As a means of generating revenue to help cover the cost of the administration and the security of UNTA in the fenced area of Varosha, the administrator of Varosha may collect such local taxes as he may deem necessary, having consulted all concerned. The administrator of Varosha, having consulted the leaders of the two communities, may also collect appropriate customs duties on overseas goods imported into the fenced area of Varosha on the basis of a tariff established by him, having consulted both leaders.

17. The UNTA administrator of Varosha, having consulted all concerned, will prepare periodic budgets for the administration and security of the fenced area of Varosha, including international and local staff requirements, which will be submitted to the Secretary-General for approval. Deficits, if any, in the budget of the fenced area of Varosha will be borne by the property owners and inhabitants of the fenced area of Varosha in a manner to be established by the Secretary-General through the administrator of Varosha, having consulted all concerned. United Nations accounting and audit procedures will apply.

18. The United Nations administration and security of the fenced area of Varosha will be implemented in line with requirements during the following phases of the reopening of the fenced area of Varosha: (i) the preparatory phase (i.e., including the first two months of United Nations administration);

(ii) the planning and feasibility studies phase; (iii) the reconstruction phase; and (iv) the post-reconstruction phase.

Schedule for the transfer of the fenced area of Varosha to United Nations administration as well as for the reopening of the fenced area of Varosha including the reclaiming of possession of property by its owners

19. Two months after the approval by the Security Council of this agreement, the fenced area of Varosha will be placed under temporary United Nations administration pending an overall settlement of the Cyprus problem.

20. Two months after coming under United Nations administration, that part of the fenced area of Varosha to the south of Dhimokratias Street will be opened for rehabilitation, the owners of property in that part can reclaim possession of their property and bi-communal contact will be initiated in line with the provisions set out in the subsequent section on "Arrangements for making the fenced area of Varosha a special area for bi-communal contact and commerce" (phase one).

21. On the same date as Nicosia International Airport is reopened for operations, that part of the fenced area of Varosha to the north of Dhimokratias Street will be reopened, the owners of property in that part can reclaim possession of their property and bi-communal contact will be initiated in line with the provisions set out in the subsequent section on "Arrangements for making the fenced area of Varosha a special area for bi-communal contact and commerce" (phase two).

Arrangements for making the fenced area of Varosha a special area for bi-communal contact and commerce

22. The fenced area of Varosha will be a special area for bi-communal contact and commerce. Greek Cypriots and Turkish Cypriots will be able to enter the area freely and without formality, subject only to normal security. They may bring back to their respective sides items purchased in the fenced area of Varosha for their personal use.

23. Transactions in the fenced area of Varosha will not be restricted to any currency or currencies.

24. Greek Cypriots and Turkish Cypriots will be able to engage in commercial activities in the fenced area of Varosha, including the sale of products, produce and services, whether locally produced or imported, irrespective of origin, brought in from their respective side.

25. An open market will operate in the fenced area of Varosha for the sale, purchase, leasing and renting of commercial and residential premises on a non-discriminatory basis. All sales and leasing of properties will be registered with the administration of Varosha. Allegations of discrimination due to race, community, religion or gender may be addressed to the UNTA administrator of Varosha who will investigate such charges without delay and will take legal action as appropriate.

26. The administrator of Varosha will establish, at the beginning of phase one of the rehabilitation of the fenced area of Varosha, a property leasing office, as part of the UNTA in the fenced area of Varosha, through which commercial properties can be leased at market rates to members of either community.

27. Greek Cypriots and Turkish Cypriots who wish to establish commercial enterprises in the fenced area of Varosha and who do not own property in the fenced area of Varosha will be provided, through the UNTA property leasing office, the opportunity to obtain premises on the basis of long-term leasing and the construction of new premises.

28. Should the availability of commercial properties through the aforementioned channels prove inadequate to meet demand, the leader of the Greek Cypriot community, upon request from the administrator of Varosha, will undertake to make available, under the aegis of the administrator of Varosha, a commercial centre comprising units for leasing by the UNTA property leasing office at market rate to persons of both communities.

29. A principal aim of these arrangements is to afford Turkish Cypriots wishing to conduct business in the fenced area of Varosha an equal opportunity to do so in significant numbers, in keeping with the normal operation of the market-place.

30. The UNTA administrator of Varosha will, having consulted both sides, include in the budget of the fenced area of Varosha a significant provision to promote bi-communal contact and exchange in wide and varied fields, including business opportunities, trade and tourism promotion, sports, culture and the arts, inter-communal understanding, etc.

31. Business and trade union organizations of the respective communities will assist the UNTA administrator of Varosha in developing and implementing inter-communal trade for the benefit of both communities.

32. Business organizations of the two sides will together identify, develop and promote joint ventures between Greek Cypriots and Turkish Cypriots. Each side will endeavour to facilitate arrangements so that, on the basis of commercial viability, such ventures will benefit from loans, and loan guarantees and other incentives.

33. The UNTA administrator of Varosha will select organizations of both communities to assist him in developing and implementing inter-communal contact.

34. In the execution of his functions, the UNTA administrator of Varosha will enlist the advice and assistance of both communities in developing and implementing inter-communal contact and inter-communal trade for the benefit of both communities. To this end, the administrator of Varosha will:

(a) Liaise with the leaders of the two communities on overall policy matters such as those dealing with security, administration of justice, financial arrangements and equitable economic opportunities for both communities;

(b) Seek the assistance of business and trade union organizations of both communities in developing and implementing inter-communal trade and commerce for the benefit of both communities, including joint ventures, tourism and other business enterprises;

(c) Seek the assistance of representative advisory groups of the inhabitants and of the fenced area of Varosha in promoting efficient local services, such as town planning, sanitation, refuse collection, public health, transportation, communications and public utilities and taxation.

II. NICOSIA INTERNATIONAL AIRPORT

Administration of Nicosia International Airport

35. Nicosia International Airport, as delineated on the attached United Nations map, will be reopened for civilian passenger and cargo traffic, pending a mutually agreed solution to the Cyprus problem, under the temporary administration of the United Nations (United Nations Temporary Administration (UNTA)) in cooperation with the International Civil Aviation Organization (ICAO), for the equal benefit of both communities.

36. The Secretary-General of the United Nations, having consulted the President of the Council of ICAO, will appoint a UNTA airport administrator acceptable to both communities. The airport administrator will be responsible to the Secretary-General in Cyprus. The airport administrator will submit six-monthly reports on the implementation of this agreement related to the UNTA of Nicosia International Airport and the Secretary-General will report to the Security Council on a regular basis.

37. The UNTA airport administrator will have full authority, under the direction of the Secretary-General, for the rehabilitation, operation and security of Nicosia International Airport in line with terms of the present agreement which will be approved by the Security Council. In administering Nicosia International Airport, the airport administrator may enlist the advice and assistance of both communities. The airport administrator may employ a small complement of international and local staff to assist him in carrying out these responsibilities under such terms and conditions as the Secretary-General may determine. In matters of contract and employment, the administration of Nicosia International Airport will adopt an equitable approach between the members of the two communities, bearing in mind considerations of commercial viability and individual qualifications and experience.

38. The applicable law and the administration of justice at Nicosia International Airport will be the same as that provided for in the fenced area of Varosha. No claims or cases may be heard based upon facts or events which occurred or are alleged to have occurred prior to the date on which the United Nations assumes administration of Nicosia International Airport.

39. International assistance will be sought to help meet the cost of the rehabilitation of Nicosia International Airport. As a means of generating revenue to help cover the cost of the administration, operation and security of

Nicosia International Airport, the UNTA airport administrator, having consulted the leaders of the two communities, may collect an airport tax, and customs duties on all goods arriving at Nicosia International Airport from overseas on the basis of a tariff established. The airport administrator may also grant concessions at Nicosia International Airport in an equitable manner to persons from each side for which the lessee will pay a concession fee to be determined by the airport administrator based on fair market value. Landing charges at Nicosia International Airport will be determined by the airport administrator in a manner that will not affect adversely existing agreements with other airports in Cyprus.

40. The cost of the administration, operation and security of Nicosia International Airport will be borne on an equal basis by the two communities. The UNTA airport administrator, having consulted with the leaders of both communities, will prepare the budget of the UNTA for Nicosia International Airport and such budget will be submitted to the Secretary-General for approval. Deficits, if any, in the budget of the UNTA for Nicosia International Airport will be borne on an equal basis by the two communities. United Nations accounting and audit procedures will be applied.

Schedule for the reopening of Nicosia International Airport under United Nations administration

41. Nicosia International Airport will be placed under United Nations administration two months after the approval of this agreement by the Security Council. The UNTA airport administrator, having consulted the leaders of the two communities, will immediately upon assuming his functions launch the project for the rehabilitation of Nicosia International Airport with a view to reopening the airport at the earliest possible date. It has been estimated that the rehabilitation of Nicosia International Airport could be completed within 12 months.

Traffic rights at Nicosia International Airport

42. Traffic rights at Nicosia International Airport will be enjoyed by airlines that have traffic rights in Cyprus and by an agreed number of airlines registered in Turkey.

43. The UNTA airport administrator will have authority to negotiate traffic rights for a Turkish Cypriot airline between Nicosia International Airport and overseas destinations.

44. The UNTA airport administrator shall have authority to undertake measures as may be necessary to implement traffic rights at Nicosia International Airport, to approve non-scheduled flights and charter programmes, to allocate gates and slots and to regulate traffic.

The safe operation at Nicosia International Airport

45. Air control and safety at Nicosia International Airport will be the exclusive responsibility of the UNTA airport administrator who will take into account the safety of flights to and from other airports in Cyprus.

The free movement of people and goods through Nicosia International Airport

46. Civilian passengers and cargo from/to both communities will have free and unhindered access to Nicosia International Airport, subject only to normal security. Foreign visitors who enter Cyprus through Nicosia International Airport can, during their stay on the island, travel unhindered between the two sides. To this end, travel documents of foreign visitors who enter Cyprus at Nicosia International Airport will only be stamped "Nicosia International Airport".

47. Arrangements will be made, bearing in mind the relevant Security Council resolutions on Cyprus and the prerogative of States so that, once this agreement has been approved by the Security Council, Turkish Cypriots can obtain appropriate entry documents to facilitate travel to foreign countries.

III. ARRANGEMENTS FOR THE IMPLEMENTATION OF THE CONFIDENCE-BUILDING MEASURES SET OUT IN ANNEX I TO THE SECRETARY-GENERAL'S REPORT OF 1 JULY 1993 (S/26026)

48. The 12 other confidence-building measures set out in annex I to the Secretary-General's report of 1 July 1993 (S/26026) will be implemented by the two communities once this agreement is approved by the Security Council.

49. Efforts of the two communities towards the realization of the following confidence-building measures are already under way and will be intensified:

- Meetings of political party leaders of both sides;

- Meetings of Chambers of Commerce and Industry of both sides to identify and develop joint commercial projects;

- Cooperation between the representatives of the Greek Cypriot and Turkish Cypriot communities of Nicosia to identify and implement joint projects for the benefit of both sides in Nicosia;

- The frequency with which journalists of each community crossed the lines has increased. The leaders of the two communities agree that this will be further facilitated by enabling journalists simply to show a press identification card issued by the United Nations; arrangements have been initiated to open a joint meeting room for journalists at the Ledra Palace Hotel;

- As requested in resolution 889 (1993), the United Nations Peace-keeping Force in Cyprus (UNFICYP) has initiated contacts on extending the unmanning agreement of 1989 to cover all areas of the United Nations-controlled buffer zone where the two sides are in close proximity to each other;

- Promoting inter-communal cooperation in Pyla; it is agreed that when this agreement is signed, provisions regarding the free movement of goods as agreed for Varosha will apply to Pyla.

50. The leaders of the two communities undertake to designate qualified experts from their communities so that work can begin on the following confidence-building measures as soon as this agreement is approved by the Security Council:

- Cooperation among experts of the two communities on the short-term and long-term water problem in Cyprus, in particular increasing the water supply;

- Cooperation among experts of the two communities on education, in particular to promote inter-communal harmony and friendship;

- Cooperation among experts of the two communities in health and the environment;

- Cooperative arrangements on electricity, taking into account that the electric generator in the north will come on stream soon;

- Joint cultural and sports events, including the joint use of the Cetinkaya field in the buffer zone near the Ledra Palace Hotel.

51. International assistance shall benefit the two communities in an equitable manner. To this end, the United Nations will assist the Turkish Cypriot community in preparing projects, including projects to help Turkish Cypriots to develop their tourism infrastructure and facilities and, once the agreement is approved by the Security Council, in obtaining international financing for these.

52. The United Nations will assist the two communities in achieving these objectives.

IV. THE GOOD FAITH IMPLEMENTATION OF THIS AGREEMENT

53. Pending a mutually agreed overall settlement, this agreement cannot be amended in any way without the consent of both sides and the approval of the Security Council.

54. Both sides commit themselves to take no action of any kind to prevent or adversely influence the full implementation of this agreement, including the free movement of people or goods from either side through Nicosia International Airport and to and from the fenced area of Varosha.

55. Either side may address any complaint concerning the implementation of this agreement to the UNTA administrator of Varosha and of the airport as appropriate who will consider the matter without delay. The two sides commit themselves to implement promptly and in good faith the conclusions of the administrator concerned.

56. The senior Representative of the Secretary-General in Cyprus will hold monthly meetings with the leaders of the two communities and the UNTA administrators of Varosha and of the airport to review the effective implementation of this agrement.

57. This agreement will be implemented without prejudice to the respective positions of both sides on an overall settlement of the Cyprus problem.

Notes

a/ The ideas as they emerge from the current proximity talks will be reviewed by the Secretary-General.

UNITED
NATIONS

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Security Council

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GENERAL

S/1994/786
29 June 1994

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF NEW ZEALAND ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter, dated 29 June 1994, from the Chargé d'affaires a.i. of the Permanent Mission of New Zealand to the United Nations, stating that Miss Isabel Calvert has been appointed alternate representative of New Zealand on the Security Council.

In the opinion of the Secretary-General, the above letter constitutes adequate provisional credentials.

94-27387 (E) 010794 05/07/94

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/787
5 July 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 1 JULY 1994 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

With reference to the letter of the Permanent Representative of Iran to the United Nations dated 24 June 1994 (S/1994/753) containing allegations that Iraqi vessels have flown the Iranian flag when navigating on the Shatt al-Arab, I should like to transmit to you the Government of Iraq's formal denial of these allegations.

Iran is seeking by these allegations to cover up its repeated offences and arbitrary practices against Iraqi vessels in the Shatt al-Arab, including its seizure of Iraqi fishing-boats, its killing of innocent fishermen, its constant violation of the provisions of the cease-fire between the two countries in the border zone, its repeated violation of the Tehran Agreement concerning the area of separation and its operation of armed military patrols on the Shatt al-Arab in violation of this Agreement.

In notifying you of this formal denial, I should like to draw your attention to the gravity of the Iranian violations which have been steadily increasing since the beginning of this year and which have been documented in our letters to you, the most recent being that dated 17 June 1994 (S/1994/721), which enumerates 54 violations for the period from 29 March to 31 May 1994. The particulars of these violations represent documented facts that discredit Iran's baseless allegations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.

94-27488 (E) 060794 060794 06/07/94

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/788
3 July 1994

ORIGINAL: ENGLISH

LETTER DATED 1 JULY 1994 FROM THE ACTING PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith a statement by the European Union on Angola. I should be grateful if you could kindly arrange to have this statement circulated as a document of the Security Council.

(Signed) Gerhard HENZE
Ambassador
Acting Permanent Representative

Annex

Statement by the European Union on Angola, issued on 29 June 1994

The European Union wishes to express its deep concern at the recent escalation of the fighting in Angola. This renewed violence, which has resulted in suspension of all humanitarian flights to all regions, is threatening the progress which has been achieved at the peace talks in Lusaka and is hindering the provision of humanitarian assistance to more than three million Angolans thus putting their lives at risk.

The European Union acknowledges and commends the fact that the Government of Angola has recently accepted the proposals of the mediation on national reconciliation and strongly calls upon UNITA to do likewise and to allow the negotiations to conclude in a comprehensive settlement.

The European Union opposes and strongly condemns all attempts to strengthen negotiating positions through gains on the battlefield. It calls upon both parties, and UNITA in particular, to stop military operations and to devote all their efforts to the successful conclusion of the present Lusaka negotiations undertaken under the auspices of the United Nations.

The European Union, which is a major donor to Angola, wishes to convey in the strongest possible terms its condemnation of recent attitudes on coercion and obstruction, attacks on international and Angolan humanitarian aid personnel, thus threatening their safety, and calls both on the Angolan Government and UNITA to actively facilitate their humanitarian work.

The European Union, reiterating its conviction that the negotiations in Lusaka offer the best means of achieving a lasting settlement in Angola, calls upon both sides to quickly surpass the remaining issues in order to urgently reach a comprehensive peace accord.

UNITED NATIONS **S**

Security Council

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GENERAL

S/1994/789
4 July 1994
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 30 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF MEXICO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I am pleased to transmit the following information concerning Mexico's compliance with the measures contained in Security Council resolution 864 (1993).

On 27 June 1994, the Official Gazette of the Federation published a Decision of the Secretariat of Trade and Industrial Development prohibiting the exportation to Angola of the items specified in paragraph 19 of Security Council resolution 864 (1993), except where such goods are destined for points of entry to that territory specified by the Government of that country.

While this Decision entered into force on 28 June 1994, thus guaranteeing full compliance with resolution 864 (1993), the Government of Mexico had already taken the relevant measures in due form at an earlier date.

I should be grateful if you would have this information circulated as a document of the Security Council.

(Signed) Victor FLORES OLEA
Ambassador
Permanent Representative of Mexico
to the United Nations

94-27442 (E) 050794 050794 05/07/94

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/790
4 July 1994
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 30 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF MEXICO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I am pleased to transmit the following information concerning Mexico's compliance with the measures contained in Security Council resolution 883 (1993).

On 27 June 1994, the Official Gazette of the Federation published a Decision of the Secretariat of Trade and Industrial Development prohibiting the exportation to the Libyan Arab Jamahiriya of the items listed in the annex to Security Council resolution 883 (1993), as well as the provision of equipment, supplies and grants of licensing arrangements for the manufacture or maintenance of such items.

While this Decision entered into force on 28 June 1994, thus guaranteeing full compliance with resolution 883 (1993), the Government of Mexico had already taken the relevant measures in due form at an earlier date.

I should be grateful if you would have this information circulated as a document of the Security Council.

(Signed) Victor FLORES OLEA
Ambassador
Permanent Representative of Mexico
to the United Nations

94-27448 (E) 050794 050794 05/07/94

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/791
3 July 1994

ORIGINAL: ENGLISH

LETTER DATED 1 JULY 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a letter of today's date from the Deputy Prime Minister for Humanitarian Affairs, Mr. Ivica Kostovic, addressed to you.

I would be grateful for your kind assistance in distributing the present letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

Annex

Letter dated 1 July 1994 from the Deputy Prime Minister for Humanitarian Affairs of the Republic of Croatia addressed to the President of the Security Council

The Government of the Republic of Croatia has carefully examined the final report of the Commission of Experts Established Pursuant to Security Council resolution 780 (1992), which was attached as an annex to the letter dated 24 May 1994 from the Secretary-General to the President of the Security Council (S/1994/674).

The Croatian Government wishes to take this opportunity to commend the tireless efforts of the Commission of Experts in the gathering of evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia after 1991. It is the firm belief of the Croatian Government that no lasting peace in the region of the former Yugoslavia can be achieved if those who have committed acts of genocide and other war crimes go unpunished.

In that regard, my Government wishes to express its intention to continue to cooperate fully with any investigation of war crimes committed in the territory of the Republic of Croatia. Presently, the Croatian Government is limited in what it can do in those territories of the Republic of Croatia which are under Serbian occupation.

At the same time, however, my Government is concerned at the lack of cooperation in the investigation of war crimes demonstrated by the Government of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" and its proxies in the occupied territories of the Republic of Croatia and the Republic of Bosnia and Herzegovina.

A particular case in point is the investigation of the mass grave site at Ovcara, Croatia. This grave holds the remains of over 200 Vukovar Hospital patients who were summarily executed by the Yugoslav People's Army and local Serbian proxies on 20 November 1991. The aforementioned report of the Commission of Experts clearly describes the obstruction by the Serbian occupation authorities in the investigation of this site by said Commission. I wish to point out that I wrote a letter dated 31 March 1994 (S/1992/371) to the President of the Security Council, in which I expressed the view of the Croatian Government that the investigation of the grave site should be carried out even after the termination of the work of the Commission of Experts. Owing to the insistence of the Serbian occupation authorities not to allow post-mortems to be performed in the territory of the Republic of Croatia, the identity of the bodies, as well as the cause of death, could not be established.

I wish to stress that the case of Ovcara is also a humanitarian question because many mothers and other relatives of missing persons from Vukovar are anxiously waiting to hear about the fate of their loved ones. An investigation of the grave site would no doubt lead to findings which would give answers to at least some of these families.

On the basis of the above facts, which were mentioned in the report of the Commission, it is my sincere concern that the obstruction and lack of cooperation by the Serb occupation authorities could lead to a situation in which individuals who have perpetrated acts of genocide and mass murder are not brought to trial.

In that regard, the Croatian Government hopes that the international community will not abandon its commitment to carry out effectively the work of the International War Crimes Tribunal.

On behalf of the Government of the Republic of Croatia, I implore all competent authorities to undertake appropriate measures to ensure that those who have committed grave crimes against humanity in the territory of the former Yugoslavia are brought to trial. I also reiterate my Government's position that the investigation of the mass grave site at Ovcara should be carried out without delay.

(Signed) Ivica KOSTOVIC
Deputy Prime Minister
for Humanitarian Affairs